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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/560,109 Confirmation No.: 3400
First Named Inventor: Sallaway, Peter J. Filing Date: 28 April 2000
Group Art Unit: 2734 Examiner: Tran, K.
Atty. Docket No.: M-5628 US
Title: System and Method Suitable for Receiving Gigabit Ethernet Signals
(Previously entitled "Detector For A Gigabit Ethernet Receiver")
Assignee(s): National Semiconductor Corporation

Mountain View, California
13 December 2005

**U.S. Patent and Trademark Office
Office of Patent Publication
Attn: Diane Terry
2900 Crystal Drive, Suite 8D01
Arlington, Virginia 22202**

RESPONSE TO FILE-RECONSTRUCTION NOTICE

Ms. Terry:

Responsive to the 37 CFR 1.251 Notice mailed 29 November 2005 for reconstructing the PTO's file for the above patent application, enclosed is an inventory of the entire record maintained by Applicants' Attorney below for correspondence between the PTO and Applicants' Attorneys for the above application.

Further enclosed is a copy of each such piece of correspondence except for (a) each U.S. patent cited during prosecution of the above application, i.e., in an information disclosure statement and/or a PTO-892 notice of references cited, (b) the particular English translations of Japanese Patent Publications 6-334692, 8-116275, 8-172366, 9-148944, and 9-153845 and German Patent Publication DE 19626076 which were cited in the Information Disclosure Statement ("IDS") submitted 8 January 2002 and for which a copy of those English translations was indicated in the 8 January 2002 IDS as accompanying that IDS, and (c) the following three documents cited in the 8 January 2002 IDS:

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1. ANSI, Fibre Distributed Data Interface-Part: Token Ring Twisted Pair Physical Layer Medium Dependent (March 1995), pp. 1-81;

2. IEEE, Standard 802.3u (1995), pp. 1-393; and

3. IEEE, Draft P802.3ab/D1.1 (1997), pp. 1-125.

Applicants' Attorney below does not have, and has not been able to obtain, any document which clearly constitutes (an original or copy) of any of the preceding three documents. Applicants' Attorney below has, however, obtained replacement documents which (without physically examining the preceding three documents) appear to contain largely the same subject matter as the preceding three documents. The replacement documents are identified in the accompanying Supplemental IDS. A copy of the replacement documents accompanies that IDS.

Applicants' Attorney below likewise does not have, and has not been able to obtain, any document which clearly constitutes (an original or copy) of any of the particular English translations which were indicated in the 8 January 2002 IDS as accompanying that IDS. However, a copy of the following documents was supplied with the IDS submitted 20 December 2004:

a. An English abstract of German Patent Publication DE 19626076 A1 cited in the 8 January 2002 IDS;

b. An English abstract of each of Japanese Patent Publications ("JPPs") 6-334692, 8-116275, 8-172366, 9-148944, and 9-153845 cited in the 8 January 2002 IDS; and

c. A computer translation into English of the specification and claims, with Japanese drawings, of each of the following Japanese patent documents:

i. Japanese Patent 3399019, the registered version of JPP 06-334692; and

ii. JPPs 08-116275, 09-148944, and 09-153845.

A computer translation, copy enclosed with the accompanying Supplemental IDS, into English of the specification and claims, with Japanese drawings, of JPP 8-172366 has been obtained/prepared subsequent to the submission of the 20 December 2004 IDS. As noted in the 20 December 2004 IDS, U.S. Patent 5,859,861 cited in the 8 January 2002 IDS is the U.S. equivalent of German Patent Publication DE 19626076. The preceding twelve English

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documents (English abstracts, Japanese computer translations into English, and U.S. Patent 5,859,861) are intended to serve as substitutes for the English translations indicated as accompanying the 8 January 2002 IDS.

In addition, the 8 January 2002 IDS indicates that it included a copy of English translations of European Patent Publication 410,399 A2 and International Patent Publication WO 97/11544 cited in that IDS. However, these two patent documents are already in English. Accordingly, the marking of the 20 January 2002 IDS to indicate enclosure of a copy of these two patent documents is erroneous and should be ignored.

Applicants' Attorney realizes that the PTO paper file for the above application presumably contains a copy of the PTO-90C transmittal sheet, a copy of the accompanying Supplemental Notice of Allowability, and the accompanying examiner-annotated Substitute Form PTO 1449, all mailed 22 November 2005. However, a copy of these documents is enclosed since the 29 November 2005 PTO-2053-A 37 CFR 1.251 file reconstruction notice requests a copy of all papers in applicant's record for correspondence between the PTO and Applicant in connection with the above application.

Also enclosed is a copy of the PTO-2053-B 37 CFR 1.251 file reconstruction notice filled in to provide that "The copy submitted with this reply is a complete and accurate copy of applicant's record of all the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records except as described in the accompanying Response to File-reconstruction Notice".

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Please telephone Attorney for Applicant(s) at 650-964-9767 if there are any questions.

Respectfully submitted,



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**RECORD OF PAPERS IN ATTORNEY FILE FOR COMMUNICATIONS BETWEEN
U.S. PATENT AND TRADEMARK OFFICE AND ATTORNEYS FOR APPLICANTS
FOR U.S. PATENT APPLICATION 09/560,109
ATTORNEY DOCKET NO. M-5628 US**

1. 28 Apr. 2000 application transmittal letter accompanied by
 - a. Specification as originally filed (59 pp.);
 - b. Claims as originally filed (8 pp.);
 - c. Abstract as originally filed (1 p.);
 - d. Informal drawings as originally filed (21 pp.); and
 - e. Unsigned Declaration for Patent Application and Power of Attorney as originally filed (3 pp.);
2. 29 June 2000 Filing Receipt (2 pp.);
3. 29 June 2000 Notice to File Missing Parts of Nonprovisional Application, Part 1 - Attorney/Applicant Copy (1 p.);
4. 1 Aug. 2000 Response to Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted (2 pp.) accompanied by
 - a. Signed Declaration for Patent Application and Power of Attorney (3 pp.); and
 - b. 29 June 2000 Notice to File Missing Parts of Nonprovisional Application, Part 2 - Copy to Be Returned with Response (1 p.);
5. 1 Aug. 2000 Recordation Form Cover Sheet (1 p.) accompanied by
 - a. Assignment of inventors (2 pp.);
6. 26 Sep. 2000 Filing Receipt (3 pp.);
7. 5 Dec. 2000 Notice of Recordation of Assignment Document (1 p.) accompanied by
 - a. PTO-annotated 1 Aug. 2000 Recordation Form Cover Sheet (1 p.); and
 - b. Assignment of inventors (2 pp.);
8. 8 Jan. 2002 Information Disclosure Statement under 37 CFR § 1.97(b) (2 pp.) accompanied by
 - a. Information Disclosure Statement by Applicant (3 pp.); and
 - b. Copy of twelve cited documents consisting of International Patent Publication WO 97/11544, European Patent Publication 410,399 A2, German Patent Publication DE 19626076 A1, Japanese Patent Publications 2-215236, 6-334692, 8-116275, 8-172366, 9-148944, and 9-153845, Lee et al. (both pp. 34 - 42 and pp. 319 - 345), Oppenheim et al., and Sklar;
9. 13 Feb. 2003 Power of Attorney by Assignee of Entire Interest (2 pp.);
10. 24 Feb. 2003 Notice of Acceptance of Power of Attorney, Attorney/Applicant Copy (1 p.);
11. 13 May 2003 PTO-90C transmittal sheet, paper 8 (1 p.) accompanied by
 - a. PTO-326 Office Action Summary (1 p.);
 - b. Detailed Action (5 pp.);
 - c. Copy of examiner-annotated Information Disclosure Statement by Applicant (3 pp.); and
 - d. PTO-892 Notice of References Cited (1 p.);

12. 15 Sep. 2003 (misdated "13 Sep. 2003") transmittal letter (1 p.) accompanied by
 - a. 15 Sep. 2003 (misdated "13 Sep. 2003") Petition for Extension of Time (1 p.);
 - b. 15 Sep. 2003 Amendment (54 pp.);
 - c. Cover sheet for Original Specification with Red Annotations to Indicate Revisions of U.S. Patent Application 09/560,109 (1 p.);
 - d. Original specification with red annotations to indicate revisions of U.S. patent application 09/560,109 (59 pp.);
 - e. Cover sheet for Substitute Specification for U.S. Patent Application 09/560,109 (1 p.); and
 - f. Substitute specification for U.S. patent application 09/560,109 (56 pp. S1 - S56);
13. 15 Oct. 2003 transmittal letter (1 p.) accompanied by
 - a. 15 Oct. 2003 Amendment to Text (4 pp.);
 - b. Cover Sheet for Substitute Specification Pages R12 and R36 for U.S. Patent Application 09/560,109 (mis-numbered "09/569,109") (1 p.);
 - c. Substitute specification pages R12 and R36 (2 pp.);
 - d. 15 Oct. 2003 Amendment to Drawings (6 pp.); and
 - e. Red-annotated informal drawing sheets (15 pp.);
14. 3 Dec. 2003 transmittal letter (1 p.) accompanied by
 - a. 3 Dec. 2003 Amendment (15 pp.);
 - b. Cover sheet for Substitute Specification Pages R18 and R19 for U.S. Patent Application 09/560,109 (mis-numbered "09/569,109") (1 p.);
 - c. Substitute specification pages R18 and R19 (2 pp.);
 - d. 3 Dec. 2003 Information Disclosure Statement under 37 CFR 1.97(c) with Fee under 37 CFR 1.17(p) (2 pp.); and
 - e. Information Disclosure Statement by Applicant, Substitute Form PTO 1449 (1 p.);
15. 20 Jan. 2004 PTO-90C transmittal sheet (1 p.) accompanied by
 - a. PTO-326 Office Action Summary (1 pp.);
 - b. PTOL-326 Continuation Sheet (1 pp.); and
 - b. PTO-90C communication, paper 16 (1 p.);
16. 10 Feb. 2004 Response to Office Action (4 pp.) accompanied by
 - a. 10 Feb. 2004 Amendment (3 pp.);
 - b. Cover sheet for Substitute Specification Page "R53" of U.S. Patent Application 09/560,109 (1 p.); and
 - c. Substitute specification page R53 (1 p.);
17. 20 Sep. 2004 PTOL-85 Notice of Allowance and Fee(s) Due (4 pp.) accompanied by
 - a. PTOL-37 Notice of Allowability (3 pp.); and
 - b. Copy of examiner-annotated Information Disclosure Statement by Applicant, Substitute Form PTO 1449 (1 p.);

18. 20 Dec. 2004 filled-in PTOL-85 Notice of Allowance and Fee(s) Due, Part B - Fee(s) Transmittal (1 p.) accompanied by
 - a. 20 Dec. 2004 Amendment to Text (7 pp.);
 - b. Cover sheet for Substitute Specification of U.S. Patent Application 09/560,109 (1 p.);
 - c. Substitute specification of U.S. patent application 09/560,109 (57 pp. C1 - C57);
 - d. Cover sheet for Marked-up Specification of U.S. Patent Application 09/560,109 (1 p.);
 - e. Marked-up specification of U.S. patent application 09/560,109 (61 p.);
 - f. 20 Dec. 2004 Amendment to Drawings under 37 CFR 1.312 (2 pp.);
 - g. Cover sheet for Drawing Sheet, with Red Annotations to Indicate Revisions, of U.S. patent application 09/560,109 (61 p.);
 - h. Red-annotated drawing sheet (1 p.);
 - i. 20 Dec. 2004 Submission of Formal Drawings (1 p.);
 - j. Cover sheet for Formal Drawing Sheets of U.S. Patent Application 09/560,109 (1 p.);
 - k. Formal Drawings (18 pp.);
 - l. 20 Dec. 2004 Information Disclosure Statement for Placement in PTO File (3 pp.);
 - m. Information Disclosure Statement by Applicant, Substitute Form PTO 1449 (1 p.);
 - n. Copy of six cited documents consisting of Hagenauer et al., Lin et al., Raheli et al., two Ungerboeck references, and Viterbi;
 - o. Copy of English abstracts of German Patent Publication DE 19626076 A1 and Japanese Patent Publications 2-215236, 6-334692, 8-116275, 8-172366, 9-148944, and 9-153845; and
 - p. Copy of computer translations into English of the specifications and claims, with Japanese drawings, of Japanese Patent Publication 8-031819 (the examined version of Japanese Patent Publication 2-215236), Japanese Patent 3399019 (the registered version of Japanese Patent Publication 6-334692), and Japanese Patent Publications 8-116275, 9-148944, and 9-153845;
19. 22 Dec. 2004 Issue-fee Payment Confirmation with annotation by Applicants' Attorney (2 pp.);
20. 22 Sep. 2005 Status Inquiry (1 p.);
21. 22 Sep. 2005 Fax to Examiner Khai Tran (1 p.);
22. 22 Nov. 2005 PTO-90C transmittal sheet (1 p.) accompanied by
 - a. Supplemental Notice of Allowability (1 p.); and
 - b. Copy of examiner-annotated Information Disclosure Statement by Applicant, Substitute Form PTO 1449 (1 p.); and
23. 29 Nov. 2005 PTO-90C transmittal sheet (1 p.) accompanied by
 - a. PTO-2053-A Notice under 37 CFR 1.251 - Pending Application (1 p.); and
 - b. PTO-2053-B Notice under 37 CFR 1.251 - Pending Application (1 p.).

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of: Peter J. Sallaway
Application No.: 09/560,109
Filing Date: 28 April 2000
Title: System and Method Suitable for Receiving
Gigabit Ethernet Signals

Direct to:



U.S. Patent and Trademark Office
Office of Patent Publication
Attn: Diane Terry
2900 Crystal Drive, Suite 8D01
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NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records, except as described in the accompanying Response to File-reconstruction Notice.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

13 December 2005
Date

Ronald J. Meeter
Signature

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.